

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION

UNITED STATES OF AMERICA	§	
	§	
	§	
v.	§	CRIMINAL NO. M-13-1154-S3
	§	
TOMAS GONZALEZ	§	
Also known as "EL GALLO",	§	
ET. AL.	§	

**UNITED STATES SUPPLEMENT TO NOTICE  
OF FORFEITURE IN INDICTMENT**

The Third Superseding Indictment in this cause charges Defendant Tomas Gonzalez and others in Count One with conspiracy to possess with the intent to distribute in excess of 1000 kilograms of marijuana in violation of Title 21, United States Code, Sections 846 and 841(a)(1). The Third Superseding Indictment further provides Notice of Forfeiture pursuant to Title 21, United States Code, Section 853(a) of property constituting or derived from any proceeds obtained either directly or indirectly from said violation as well as property used or intended to be used in any manner to commit or facilitate the commission of said offense. (Dkt. No. 112)

The United States of America hereby supplements the Notice of Forfeiture to identify specific property subject to forfeiture upon a conviction for conspiracy to commit drug trafficking as alleged in Count One, and notifies the Defendants that the property subject to forfeiture includes, but is not limited to, the following real property and improvements, if any:

1. LOT 9, RAMSEYER GARDENS, AN ADDITION TO THE CITY OF EDINBURG, HIDALGO COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 9, PAGE 16, MAP RECORDS OF HIDALGO COUNTY, TEXAS;

2. 3104 W. Sugarcane Dr., Weslaco, Texas, and legally described as:  
A TRACT OF LAND OUT OF FARM TRACT 171, BLOCK 180, WEST TRACT SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 2, PAGES 34-37, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK

OF HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A COTTON PICKER SPINDLE WITH A WASHER SET FOR THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED, SAID COTTON PICKER SPINDLE BEING LOCATED ON THE SOUTH LINE OF SAID FARM TRACT 171 AND ON THE CENTERLINE OF MILE 9 NORTH ROAD, AND BEARS EAST 169.77 FEET FROM A CONCRETE MONUMENT FOUND FOR THE SOUTHWEST CORNER OF SAID FARM TRACT 171;

THENCE, NORTH AT A DISTANCE OF 20.00 FEET PAST A NO. 4 REBAR 24 INCHES LONG WITH A PLASTIC CAP STAMPED, "RPS 1651" SET FOR REFERENCE ON THE NORTH RIGHT-OF-WAY LINE OF SAID MILE 9 NORTH, AND CONTINUING FOR A TOTAL DISTANCE OF 1531.31 FEET TO A NO. 4 REBAR (SAME AS ABOVE) SET FOR THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 51 DEGREES, 00 MINUTES EAST, 190.47 FEET TO A NO. 4 REBAR (SAME AS ABOVE) SET FOR THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH AT A DISTANCE OF 1391.44 FEET PASS A NO. 4 REBAR (SAME AS ABOVE) SET FOR REFERENCE ON THE NORTH RIGHT-OF-WAY LINE OF SAID MILE 9 NORTH ROAD, AND CONTINUING FOR A TOTAL DISTANCE OF 1,411.44 FEET TO A COTTON PICKER SPINDLE WITH A WASHER SET FOR THE SOUTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, WEST 148.02 FEET, WITH THE SOUTH LINE OF SAID FARM TRACT 171, AND WITH THE CENTERLINE OF SAID MILE 9 NORTH ROAD TO THE POINT OF BEGINNING.

3. BEING 5.895 ACRES OF LAND SITUATED IN HIDALGO COUNTY, TEXAS, AND BEING OUT OF FARM TRACT 171, WEST TRACT SUBDIVISION, LIANO GRANDE GRANT; SAID WEST TRACT SUBDIVISION BEING RECORDED IN VOLUME 2, PAGES 34-37 OF THE HIDALGO COUNTY MAP RECORDS, AND SAID 5.895 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND FOR THE SOUTHWEST CORNER OF SAID FARM TRACT 171 AND THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 00° 37' EAST, WITH THE WEST LINE OF SAID FARM TRACT 171, AT A DISTANCE OF 20.00 FEET PASS A #4 REBAR (SAME AS ABOVE) SET FOR REFERENCE ON THE NORTH RIGHT-OF-WAY LINE OF SAID MILE 9 ROAD, AND CONTINUING FOR A TOTAL DISTANCE OF 1654.45 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID FARM TRACT 171 AND THE NORTHWEST CORNER

OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 51° 00' EAST, AT A DISTANCE OF 60.00 FEET PASS A #4 REBAR (SAME AS ABOVE) SET FOR REFERENCE, AND CONTINUING FOR A TOTAL DISTANCE OF 195.53 FEET TO A #4 REBAR (SAME AS ABOVE) SET FOR THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH, AT A DISTANCE OF 1511.31 FEET PASS A #4 REBAR (SAME AS ABOVE) SET FOR REFERENCE ON THE ON THE NORTH RIGHT-OF-WAY LINE OF SAID MILE 9 NORTH ROAD, AND CONTINUING FOR A TOTAL DISTANCE OF 1531.31 FEET TO A COTTON PICKER SPINDLE WITH A WASHER SET FOR THE SOUTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE WEST, 169.77 FEET, WITH THE SOUTH LINE OF SAID FARM TRACT 171, AND WITH THE CENTERLINE OF SAID MILE 9 NORTH ROAD TO THE POINT OF BEGINNING AND CONTAINING 5.895 ACRES OF LAND MORE OR LESS.

4. LOT 2, (TWO), CHAPA SUBDIVISION NO. 1 (ONE), HIDALGO COUNTY, TEXAS, SAVE AND EXCEPT FOR OIL, GAS, AND OTHER MINERALS; SUBJECT TO MINERAL LEASES, EASEMENTS AND RESTRICTIONS OF RECORD, and recorded in the Hidalgo County Property records as Document Number 1508468.

5. LOT 30, CHAPA SUBDIVISION NO. 1, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN Volume 20, Page 57, Map Records of Hidalgo County, Texas.

6. A 2.5 acre tract of land out of a certain 5.00 acre tract out of Farm Tract 171(Deed Record: Farm Tract 420), WEST and ADAMS TRACTS SUBDIVISION, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 2, Pages 34-37, Map Records, Hidalgo County, Texas, and according to Special Warranty Deed recorded under County Clerk's Document Number 738265, Official Records, Hidalgo County, Texas, reference to which is here made for all purposes and being more particularly described by metes and bounds as follows:

**BEGINNING** AT A POINT ON THE SOUTH LINE OF FARM TRACT 171 AND IN THE CENTERLINE OF MILE 9 NORTH ROAD FOR THE SOUTHWEST CORNER OF THE OSCAR GONZALEZ TRACT (A 2.50 ACRE TRACT OUT OF FARM TRACT 171, WEST AND ADAMS TRACT SUBDIVISION, ACCORDING TO DEED OF GIFT RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 881618, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) AND THE SOUTHEAST CORNER OF THIS TRACT, SAID POINT BEARS WEST 435.20 FEET FROM THE SOUTHEAST CORNER OF FARM TRACT 171;

**THENCE**, WEST ALONG THE SOUTH LINE OF FARM TRACT 171, AND THE CENTERLINE OF MILE 9 NORTH ROAD, A DISTANCE OF 83.76 FEET TO A POINT FROM THE SOUTHEAST CORNER OF THE JAVIER DURAN TRACT (A 1.00 ACRE TRACT OUT OF FARM TRACT 171, WEST AND ADAMS TRACTS SUBDIVISION,

ACCORDING TO THE SPECIAL WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1095361, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) AND THE SOUTHWEST CORNER OF THIS TRACT;

**THENCE**, NORTH, ALONG THE EAST LINE OF THE JAVIER DURAN TRACT AND THE EAST LINE OF THE EPIFANIO GOMEZ, JR. TRACT(A 4.00 ACRE TRACT OUT OF FARM TRACT 171, WEST AND ADAMS TRACTS SUBDIVISION, ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1812745, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) PASSING A ½ INCH IRON ROD WITH CAP STAMPED RPLS 4856 SET AT 20.00 FEET FOR THE NORTH RIGHT OF WAY LINE OF MILE 9 NORTH ROAD, A TOTAL DISTANCE OF 881.12 FEET TO A ½ INCH ROD WITH CAP STAMPED RPLS 4856 SET ON THE NORTH LINE OF FARM TRACT 171 FOR THE NORTHEAST CORNER OF EPIFANIO GOMEZ, JR. TRACT AND THE NORTHWEST CORNER OF THIS TRACT;

**THENCE**, SOUTH 53 MINUTES, 00 SECONDS EAST, ALONG THE NORTH LINE OF FARM TRACT 171 A DISTANCE OF 197.50 FEET TO A ½ INCH IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR THE NORTHWEST CORNER OF THE OSCAR GONZALEZ TRACT AND THE NORTHEAST CORNER OF THIS TRACT;

**THENCE**, SOUTH, ALONG THE WEST LINE OF THE OSCAR GONZALEZ TRACT, A DISTANCE OF 482.85 FEET TO A ½ INCH IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR AN EXTERIOR CORNER OF THIS TRACT;

**THENCE**, WEST, ALONG THE WEST LINE OF THE OSCAR GONZALEZ TRACT A DISTANCE OF 73.98 FEET TO A ½ INCH IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR AN INTERIOR CORNER OF THIS TRACT;

**THENCE**, SOUTH, ALONG THE WEST LINE OF THE OSCAR GONZALEZ TRACT, PASSING A ½ INCH IRON ROD WITH CAP STAMPED RPLS 1856 FOUND AT 260.00 FEET FOR THE NORTH RIGHT OF WAY OF LINE OF MILE 9 NORTH ROAD, A TOTAL DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.50 ACRE OF LAND MORE OR LESS.

7. 2705 California St., Weslaco, Texas, and legally described as:

Lot 5, Block One (1), DIMAS SUBDIVISION, UNIT NUMBER THREE, Hidalgo County, Texas, as shown by the map or plat of said subdivision on file and of record in the office of the County Clerk of Hidalgo County, Texas in Volume 21, Page 142.

8. A 5.666 acre tract of land out of Farm Tract One Hundred Eighty-four (184), Block One Hundred Sixty-one (161), West Tract Subdivision, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 2, Page 34-37, Map Records, Hidalgo County, Texas, said tract more particularly described by metes and bounds as follows:

**BEGINNING** AT A SPINDLE SET FOR THE SOUTHWEST CORNER OF FARM TRACT 184 FOR THE SOUTHWEST CORNER OF THE TRACT OF LAND HEREIN DESCRIBED;

**THENCE**, NORTH ALONG THE EAST LINE OF SAID FARM TRACT, 187.00 FEET TO A POINT SET FOR THE NORTHWEST CORNER;

**THENCE**, EAST AT 15.0 FEET AN IRON PIN FOR THE EAST RIGHT-OF-WAY OF MILE 5-1/2 WEST, AT 1,275.00 FEET AN IRON PIN SET FOR AN OFFSET TO THE NORTHEAST CORNER, AND AT 1,320.00 FEET IN ALL A POINT FOR THE NORTHEAST CORNER;

**THENCE**, SOUTH 187.00 FEET TO AN IRON PIN SET FOR THE SOUTHEAST CORNER;

**THENCE**, WEST AT 20.00 FEET AN IRON PIN FOR AN OFFSET POINT, AT 1,305.00 FEET AN IRON PIN FOR THE EAST RIGHT-OF-WAY LINE OF MILE 5-1/2 WEST ROAD, AND AT 1,320.00 FEET IN ALL A SPINDLE BEING THE SOUTHWEST CORNER OF THIS TRACT OF LAND, THE POINT OF BEGINNING AND CONTAINING 5.666 ACRES, MORE OR LESS.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

A true and correct copy of this pleading was served on all defense counsel via electronic court filing on March 21, 2014.

s/Mary Ellen Smyth  
Mary Ellen Smyth  
Assistant United States Attorney